

March 9, 2010

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:00 p.m., March 9, 2010.

Members present: Mayor W. D. Tharp; Councilman Jeffrey B. Hubbard; Councilman Steve C. Rush; Councilman C. G. Stanley, Jr.; Councilman James A. Vest; and Vice Mayor Robert T. Wandrei

Members absent: Councilwoman Mary L. Flood

Staff present: City Manager Charles P. Kolakowski; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher

Mayor Tharp opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Tharp declared that the minutes of a regular Council meeting held on February 23, 2010, were approved as distributed.

City Manager Kolakowski reported on the following:

- Census forms – encouraged everyone to complete and return; the census is often used for funding purposes
- Revisions to the agenda: the Bedford area YMCA representative had an unavoidable conflict and will be on the agenda of the next regular meeting; Bedford Main Street will be moved to the first item under “New Business” to accommodate their power point presentation

The following individuals gave presentations regarding FY 2010-11 budget requests for their organizations:

- Bedford Main Street – Dan Plattus, Office Manager, gave a power point presentation regarding the recent accomplishment of Main Street
- Bedford Area Chamber of Commerce - Susan Martin, President/CEO and Sally Yaney, small business owner

A representative for Bedford Life Saving Crew was not present.

- Bedford Museum and Genealogical Library – Doug Cooper, Manager
- Bedford Ride, Ira Doom, Administrator
 - National D-Day Memorial Foundation – Col. William McIntosh, President

City Manager Kolakowski stated that the action form reviewed the history of the Court Street Pizza lease as follows:

The City Council, on July 14, 2009, approved leasing a small part of the parking lot adjacent to the Court Street Pizza facility to the owners of that

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business for a proposed neighborhood ice cream shop. A lease was signed between the City and Court Street Pizza, Inc. dated July 1, 2009 and effective upon approval by the City. The lease required a deposit of \$500 which was paid and monthly rental of \$50 per month through September 30, 2010.

Ed McGuire, proprietor of Court Street Pizza, Inc., discussed the matter with the City Attorney in late October and indicated that he did not desire to move forward with the new ice cream parlor business. The owner of Court Street Pizza, Inc. had apparently hoped to purchase the building in which it is located from his landlord, those plans fell through. The City Attorney advised him that he should write to the City requesting a cancellation of the lease.

A letter dated October 27, 2009 was received last month requesting cancellation of the lease and a return of the \$500 deposit.

The purpose of the lease arrangement was to encourage development of an additional business in the downtown area. The amount of rent was certainly not regarded as an important revenue factor for the City, but provided a small compensation for use of property.

Mr. Kolakowski recommended that the Council approve cancellation of the lease and the return of the \$500 deposit.

On motion by Councilman Rush, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council approved cancellation of the lease and the return of the \$500 deposit to Court Street Pizza. Roll call vote follows:

Councilwoman Flood	absent
Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Mayor Tharp	aye

Councilman Stanley moved that Council adjourn into closed session pursuant to Section 2.2-3711(a)(1) of the Code of Virginia of 1950, as amended for discussion of personnel matters. Councilman Rush seconded the motion. The motion was voted upon and carried by the following roll call vote:

Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye

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Councilwoman Flood	absent
Mayor Tharp	aye

Council adjourned into closed session at 7:35 p.m.

Council reconvened into open session at 7:59 p.m.

The Clerk of Council read aloud the following resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

On motion by Councilman Hubbard, seconded by Vice Mayor Wandrei, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Councilman Hubbard	aye
Mayor Tharp	aye

Mayor Tharp adjourned the meeting at 8:01 p.m.